

# Human Tissue Bill

## MARSHALLED LIST OF AMENDMENTS TO BE MOVED ON THIRD READING

*[Amendments marked ★ are new or have been altered]*

Amendment  
No.

### Clause 1

THE LORD WARNER

- 1 Page 3, line 3, leave out subsections (10) to (12)

### Clause 5

THE LORD WARNER

- 2 Page 7, leave out line 13  
3 Page 7, line 14, leave out from “maximum” to end of line 15

### Clause 7

THE BARONESS HAYMAN  
THE LORD CLEMENT-JONES  
THE EARL HOWE

- 4 Page 8, line 26, after “Court” insert “or the Authority”

### Clause 8

THE LORD WARNER

- 5 Page 9, leave out line 3  
6 Page 9, line 4, leave out from “maximum” to end of line 5

Amendment  
No.

### Clause 11

#### THE BARONESS FINLAY OF LLANDAFF

- 7 Page 10, line 42, after “for” insert “current or future”

### Clause 25

#### THE LORD WARNER

- 8 Page 16, leave out line 37  
9 Page 16, line 38, leave out from “maximum” to end of line 39

### Clause 30

#### THE LORD WARNER

- 10 Page 20, leave out line 36  
11 Page 20, line 37, leave out from “maximum” to end of line 38

### Clause 31

#### THE LORD WARNER

- 12 Page 21, leave out line 34  
13 Page 21, line 35, leave out from “maximum” to end of line 36

### Clause 45

#### THE LORD WARNER

- 14 Page 29, leave out line 39  
15 Page 29, line 40, leave out “maximum” to end of line 41

### Clause 51

#### THE LORD WARNER

- 16 Page 32, line 1, leave out from “In” to “32(4)(a)(i)” and insert “section”  
17 Page 32, line 1, leave out “and 45(3)(a)(i)”  
18 Page 32, line 3, leave out subsection (4)

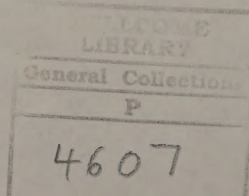
### Clause 52

#### THE LORD WARNER

- 19 Page 32, line 21, at end insert—  
“( ) Subsections (1) and (2) do not apply to any power of a court.”  
20★ Page 33, line 6, at end insert—  
“( ) Before acting under any of the following provisions, the Secretary of State shall also consult such other persons as he considers appropriate—  
section 1(14);  
section 6;



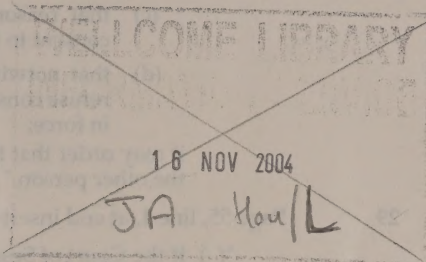
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Amendment  
No.Clause 52—*continued*

section 7(4);  
 section 10(9);  
 section 14(4);  
 section 16(5);  
 section 27(9);  
 section 33(3) and (7);  
 section 46(1);  
 section 54(10);  
 paragraphs 6(2), 12(2) and 13 of Schedule 4.”



## Clause 58

THE LORD WARNER

- 21 Page 34, line 31, leave out from “in” to “32(4)(a)(i)” in line 32 and insert “section”  
 22 Page 34, line 32, leave out “and 45(3)(a)(i)”

## Clause 59

THE LORD WARNER

- 23 Page 35, line 30, leave out “51(4),”

## Schedule 1

THE LORD WARNER

- 24 Page 38, line 20, leave out from “health” to end of line 22

## Schedule 4

THE BARONESS FINLAY OF LLANDAFF

- 25★ Page 52, line 40, after “Court” insert “or the Authority”

THE LORD WARNER

- 26 Page 53, line 2, leave out from “health” to end of line 4  
 27 Page 53, line 21, leave out from “health” to end of line 25

THE BARONESS FINLAY OF LLANDAFF

- 28 Page 54, line 20, at end insert—

“( ) If the High Court is satisfied—

- (a) that bodily material has come from the body of a living person;
- (b) that it is desirable in the interests of another person (including a future person) to prevent mortality or significant morbidity, that DNA in the material be analysed for the purpose of obtaining scientific or medical information about the person from whose body the material is come (“the donor”);

Amendment  
No.

**Schedule 4—continued**

- (c) that reasonable efforts have been made to get the donor to consent to the use of material for that purpose;
- (d) that notwithstanding those efforts, a decision of the donor to refuse consent to the use of the material for that purpose remains in force;

it may order that this paragraph apply to the material for the benefit of the other person."

29 Page 55, line 4, at end insert—

"( ) If the Court of Session is satisfied—

- (a) that bodily material has come from the body of a living person;
- (b) that it is desirable in the interests of another person (including a future person) to prevent mortality or significant morbidity, that DNA in the material be analysed for the purpose of obtaining scientific or medical information about the person from whose body the material is come ("the donor");
- (c) that reasonable efforts have been made to get the donor to consent to the use of material for that purpose;
- (d) that notwithstanding those efforts, a decision of the donor to refuse consent to the use of the material for that purpose remains in force;

it may order that this paragraph apply to the material for the benefit of the other person."

THE EARL HOWE  
THE LORD MCCOLL OF DULWICH

30★ Page 55, line 4, at end insert—

"( ) If the High Court is satisfied—

- (a) that bodily material has come from the body of a living person,
- (b) that notwithstanding the refusal of the person to consent to DNA in the material being analysed for the purpose of obtaining scientific or medical information about him, it is desirable in the interests of another person (including a future person) to prevent mortality or significant morbidity that such analysis should take place,

it may order that this paragraph apply to the material for the benefit of the other person.

( ) If the Court of Session is satisfied—

- (a) that bodily material has come from the body of a living person,
- (b) that notwithstanding the refusal of the person to consent to DNA in the material being analysed for the purpose of obtaining scientific or medical information about him, it is desirable in the interests of another person (including a future person) to prevent mortality or significant morbidity that such analysis should take place,

it may order that this paragraph apply to the material for the benefit of the other person."









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*2nd November 2004*

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